

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

---

JOSEPH P. ROCCO, Individually and on Behalf of All Others Similarly Situated,	:	Case No.: 12-cv-3015 (FB) (MDG)
	:	<b><u>CLASS ACTION</u></b>
Plaintiff,	:	
v.	:	
ADIDAS AMERICA, Inc.	:	
Defendant.	:	

---

**STIPULATED MOTION FOR AN ADDITIONAL 15-DAY EXTENSION OF TIME FOR  
DEFENDANT TO ANSWER OR OTHERWISE PLEAD**

---

The above-captioned parties hereby jointly move, and without waiver of any defenses that may be presented pursuant to Federal Rule of Civil Procedure 12(b) or otherwise, for an extension of the deadline for Defendant to move, answer, or otherwise respond to the Class Action Complaint for thirty calendar days to and including September 7, 2012. Defendant's responsive pleading(s) is/are currently due on August 23, 2012. Defendant has previously sought one extension of its time to move, answer, or otherwise respond.

In support of this motion, the parties state that on June 15, 2012, Plaintiff filed the Class Action Complaint (Docket No. 1) against Defendant. On June 28, 2012, Defendant engaged Reed Smith LLP to represent it in this action. On July 13, 2012, the Court granted the stipulated motion for additional time to answer or otherwise plead. Defendant needs a brief extension to permit it to confer with counsel and respond appropriately to the Complaint.

WHEREFORE, the parties respectfully request that the Court extend the deadline for Defendant to move, answer, or otherwise respond to Plaintiff's Class Action Complaint to and including September 7, 2012.

Dated: August 21, 2012

Respectfully submitted,

REED SMITH, LLP

/s/ John P. Hooper

John P. Hooper, Esq. (JH4262)  
Eric Gladbach, Esq. (EG9103)  
C. Neil Gray (CG9038)  
599 Lexington Avenue  
New York, NY 10022  
Phone: (212) 521-5400  
Fax: (212) 521-5450  
[jhooper@reedsmith.com](mailto:jhooper@reedsmith.com)  
[egladbach@reedsmith.com](mailto:egladbach@reedsmith.com)  
[cgray@reedsmith.com](mailto:cgray@reedsmith.com)

*Counsel for the Defendant adidas America, Inc.*

COHEN MILSTEIN SELLERS & TOLL,  
PLLC

/s/ Douglas J. McNamara

Douglas J. McNamara, Esq. #776830  
1100 New York Avenue, N.W., Suite 500W  
Washington, D.C. 20005  
(202)-408-4600  
(202-408-4699 (fax)  
[dmcnamara@cohenmilstein.com](mailto:dmcnamara@cohenmilstein.com)

Andrew N. Friedman  
COHEN MILSTEIN SELLERS & TOLL,  
PLLC  
1100 New York Avenue, N.W., Suite 500W  
Washington, D.C. 20005  
(202)-408-4600  
(202-408-4699 (fax)  
[afriedman@cohenmilstein.com](mailto:afriedman@cohenmilstein.com)

J. Douglas Richards  
COHEN MILSTEIN SELLERS & TOLL,  
PLLC  
88 Pine Street  
14th Floor  
New York, NY 10005  
(212) 838-7797  
(212) 838-7745  
[drichards@cohenmilstein.com](mailto:drichards@cohenmilstein.com)

*Counsel for Plaintiff Joseph P. Rocco*

**CERTIFICATE OF SERVICE**

I hereby certify that on August 21, 2012, the foregoing document was filed with the Clerk of the Court and served in accordance with the Federal Rules of Civil Procedure, and/or the Eastern District's Local Rules, and/or the Eastern District's Rules on Electronic Service upon the following parties and participants:

Andrew N Friedman  
(bpratt@cohenmilstein.com,gregina@cohenmilstein.com)

Douglas J. McNamara  
(dmcnamara@cohenmilstein.com)

J. Douglas Richards  
(drichards@cohenmilstein.com)

/s/ John P. Hooper  
John P. Hooper  
Reed Smith LLP  
599 Lexington Avenue  
New York, NY 10022  
Phone: (212) 521-5400  
Fax: (212) 521-5450  
jhooper@reedsSmith.com